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*Attorneys for Plaintiffs and Counterdefendants  
Hologram USA, Inc., Anakando Limited and  
Uwe Maass*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

HOLOGRAM USA, INC; ANAKANDO  
LIMITED; and UWE MAASS,

Plaintiffs,

v.

PULSE EVOLUTION CORPORATION;  
PULSE ENTERTAINMENT CORPORATION;  
JOHN C. TEXTOR; DICK CLARK  
PRODUCTIONS, INC.; JOHN BRANCA and  
JOHN MCCLAIN; MJJ PRODUCTIONS, INC.;  
MUSION EVENTS LTD.; MUSION 3D LTD.;  
WILLIAM JAMES ROCK; IAN  
CHRISTOPHER O'CONNELL; and DOES 1  
through 10,

Defendants.

IAN CHRISTOPHER O'CONNELL; MUSION  
EVENTS LTD.; and MUSION 3D LTD.,

Counterclaimants,

v.

HOLOGRAM USA, INC.; ANAKANDO  
LIMITED; and UWE MAASS,

Counter-Defendants.

CASE NO. 2:14-cv-00772-GMN-NJK

**JOINT STIPULATION OF DISMISSAL  
PURSUANT TO FEDERAL RULE OF  
CIVIL PROCEDURE 41(a)(1)(A)(ii)**

Plaintiffs and counter-defendants Hologram USA, Inc. (“Hologram USA”), Anakando Limited (“Anakando”) and Uwe Maass (“Maass”) (collectively, “Plaintiffs”) and defendants and counterclaimants Ian Christopher O’Connell (“O’Connell”), Musion Events Ltd. (“Musion Events”), and Musion 3D Ltd. (“Musion 3D”) (collectively, the “O’Connell Defendants”), by and through their undersigned counsel and pursuant to Federal Rules of Civil Procedure 41(a)(1)(A)(ii), state as follows:

WHEREAS, on May 15, 2014, Hologram USA, Maass and MDH Hologram Limited (“MDH”) initiated this action (Dkt. No. 1), and Anakando later substituted into this action in place of MDH (Dkt. No. 474);

WHEREAS, on January 30, 2015, Plaintiffs filed a Second Amended and Supplemental Complaint (Dk. No. 188) (the operative complaint in this case);

WHEREAS, on September 3, 2015 and September 11, 2015, Magistrate Judge Nancy J. Koppe issued two orders that imposed sanctions against Plaintiffs’ lead trial counsel, Mr. Ryan Baker (“Baker”), and Maass jointly and severally in the amount of \$17,236 for Maass’ failure to appear in person at a mandatory settlement conference. (Dkt. Nos. 287, 295.) The amount of the sanctions award reflected the sums that Defendants incurred in costs and attorneys’ fees in preparation for the vacated settlement conference (Dkt. Nos. 295);

WHEREAS, Baker was required to, and did, report the judicial sanctions imposed upon him to the State Bar of California pursuant to California Business & Professions Code section 6068(o)(3), which requires that an attorney report certain sanctions equal to or more than one thousand dollars;

WHEREAS, on November 10, 2015, Plaintiffs voluntarily dismissed without prejudice former defendants dick clark productions, inc., MJJ Productions, Inc., and John Branca and John McClain in their capacities as co-executors of the estate of Michael J. Jackson (Dkt. No. 323);

WHEREAS, on May 11, 2015, this Court denied a Motion for Reconsideration of the orders that imposed sanctions on Plaintiffs’ lead trial counsel, Ryan Baker (Dkt. No. 386);

WHEREAS, on March 13, 2016, the O’Connell Defendants filed their Second Amended Answer and Counterclaims (Dkt. No. 349) (the operative answer and counterclaims in this case);

WHEREAS, on April 22, 2016, Plaintiffs voluntarily dismissed without prejudice former defendant William James Rock (Dkt. No. 367);

WHEREAS, on June 9, 2016, Plaintiffs voluntarily dismissed former defendants Pulse Evolution Corporation, Pulse Entertainment Corporation and John Textor with prejudice (Dkt. No. 403);

WHEREAS, on January 31, 2017, the court ordered that the O'Connell Defendants' second counterclaim for declaratory relief be stricken without leave to amend (Dkt. No. 438);

WHEREAS, on October 2, 2017, pursuant to a stipulation, this Court dismissed Hologram USA's eighth cause of action for intentional interference with prospective economic advantage, MDH's ninth cause of action for breach of fiduciary duty, Plaintiffs' tenth cause of action for false advertising, and Plaintiffs' eleventh cause of action for unfair competition (Dkt. No. 474);

WHEREAS, as a result of the foregoing dismissals, Plaintiffs and the O'Connell Defendants are the only remaining parties in this action, and the sole remaining claims and counterclaims to be tried consist of Plaintiffs' first through seventh causes of action for patent infringement and declaratory relief, Maass' ninth cause of action for breach of fiduciary duty, and the O'Connell Defendants' first counterclaim for declaratory judgment of non-infringement;

WHEREAS, on February 3, 2018, following a mediation, Plaintiffs and the O'Connell Parties entered into a binding confidential term sheet (the "Term Sheet") that contemplated that "the Parties shall work in good faith to negotiate a final long-form settlement agreement as quickly as practicable following execution of this binding Term Sheet";

WHEREAS, on April 17, 2018, Plaintiffs and the O'Connell Parties fully executed a confidential long-form settlement agreement as contemplated by the Term Sheet;

WHEREAS, the judicial sanctions imposed on Baker in his personal capacity have negatively affected his professional record and the parties agree that good cause and extenuating circumstances exist to warrant removal of those sanctions, including that (a) the sanctions arose out of the unexpected failure of Maass to appear for a mandatory settlement conference and Baker attempted in good faith to attempt to secure Maass' appearance; (b) the amount of the monetary sanctions imposed (\$17,236) was based on the fact that there were multiple defendants in this action

(including international defendants) who incurred travel costs and attorneys' fees in connection with their scheduled appearance at the mandatory settlement conference, as opposed to any culpability of Baker; and (c) Baker was required by California law to report the sanctions to the State Bar and no party initiated efforts to personally sanction Baker.

THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiffs and the O'Connell Parties to this action and through their counsel of record that:

1. The Court shall dismiss this action in its entirety. Maass' claim for breach of fiduciary duty and the O'Connell Defendants' first counterclaim for declaratory judgment of non-infringement shall be dismissed without prejudice. All the other claims asserted by the Parties shall be dismissed with prejudice. Each Party will bear its own costs and attorneys' fees.

2. In addition, the Court vacates the the orders dated September 3, 2015 (Dkt. 287), September 11, 2015 (Dkt. 295), and May 11, 2016 (Dkt. 386), only to the extent that they imposed judicial sanctions on Ryan Baker in his personal capacity. The Plaintiffs, Mr. Baker and Baker Marquart LLP shall not seek to recover from any of the current or former defendants in this action or their counsel the monetary awards made pursuant to the aforementioned orders.

DATED this 25th day of April 2018.

By: /s/ Craig A. Newby

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Hologram USA, Inc., Anakando Limited and Uwe  
Maass*

1 DATED this 25th day of April 2018.

2 By: /s/ Eric J. Carsten  
3 ERIC J. CARSTEN

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17 *Attorneys for Defendants Musion Events Ltd. and*  
18 *Musion 3D Ltd.*

19 DATED this 25th day of April 2018.

20 By: /s/ Ian Christopher O'Connell  
21 Ian Christopher O'Connell

22 IT IS SO ORDERED:

23 DATED this 25 Day of April, 2018.

24   
25 Gloria M. Navarro, Chief Judge  
26 UNITED STATES DISTRICT COURT  
27  
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